

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**RECEIVED
CENTRAL FAX CENTER**

SEP 16 2004

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/644,114
Filing Date	August 20, 2003
First Named Inventor	James R. Parks et al.
Art Unit	3724
Examiner Name	S. Chol
Total Number of Pages in This Submission	Attorney Docket Number TN-1983

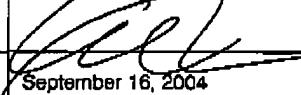
ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Response to Restriction Requirement
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENTFirm
or
Individual name

Adan Ayala, Esq.

Signature



Date

September 16, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name Adan Ayala, Esq.Signature 

Date September 16, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Serial No. 10/644,114

Response to Restriction Req. mailed Aug. 31, 2004

UTILITY PATENT

B&D No. TN1983

IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED
CENTRAL FAX CENTER

In re application of: James R. PARKS et al.

SEP 16 2004

Serial No.: 10/644,114

Examiner: S. CHOI

Filed: August 20, 2003

Group Art Unit: 3724

For: BEVEL STOP MECHANISM FOR A MITER SAW

Assistant Commissioner for Patents

Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

I, Adan Ayala, PTO Reg. No. 38,373, hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (703) 872-9306 on Sep 16, 2004


Adan Ayala

Dear Sir:

This is in response to the Office Action mailed August 31, 2004.

The Examiner required the election of one of the following species: Species A (represented by FIGS. 3-5); Species B (described in page 10, lines 19-21); Species C (represented by FIGS. 6-9); Species D (represented by FIGS. 10-14) and Species E (represented by FIGS. 15-17).

Pending in the present application are Claims 1-13.

Applicants respectfully request that the Examiner reconsider the election requirement, and thus examine all species.

Serial No. 10/644,114**Response to Restriction Req. mailed Aug. 31, 2004****UTILITY PATENT****B&D No. TN1983**

Under the Patent Act and the rules of patent practice, if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it may include claims to distinct or independent inventions. MPEP § 803.

In the present case, examining all species together would not constitute a serious burden to the Examiner. As mentioned below, Applicants will elect Species C for examination.

Accordingly, the Examiner will have to examine Claims 1-9 and 12-13. In other words, the Examiner will examine all but two of the pending claims. Applicants submit that the Examiner would not thus incur a serious burden. Therefore, no species should be restricted and should be examined together.

Nevertheless, the Examiner has advised Applicants that a response to the restriction requirement must include an identification of the species that is elected consonant with the requirement, and a listing of all claims readable thereon. Applicants hereby elect Species C, as designated by the Examiner. The claims readable upon Species C are Claims 1-9 and 12-13.

While no fee is believed to be due, the Commissioner is nevertheless authorized to charge payment of any fees due in processing this amendment, or credit any overpayment to Deposit Account No. 02-2548.

Respectfully submitted,


Adam Ayala
PTO Reg. No. 38,373
Attorney for Applicants
(410) 716-2368